

REMARKS

In the Office Action, the Examiner rejected claims 1-9, 11-22 and 24-65. Applicants previously canceled claims 10 and 23. By the present Response, Applicants amend claims 1, 12, and 13 to further clarify the claimed subject matter and cancel claim 64. Upon entry of the amendments, claims 1-9, 11-22, 24-63, and 65 will remain pending in the present patent application. Applicants respectfully request reconsideration of the above-referenced application in view of the foregoing amendments and the following remarks. Additionally, given the lengthy prosecution of the instant case, Applicants respectfully request an Examiner Interview with Examiner Roy and Supervisory Patent Examiner Casler to resolve any remaining issues and pass this case to issuance.

Rejections under 35 U.S.C. § 102

In the Office Action, the Examiner rejected claims 1-9, 11-22, and 24-65 under 35 U.S.C. § 102(b) as anticipated by the Foo et al. reference (U.S. Patent No. 6,198,283). Applicants respectfully request reconsideration and withdrawal of this rejection, as the present claims recite features that appear to be absent from the Foo et al. reference.

Legal Precedent

Anticipation under Section 102 can be found only if a single reference shows exactly what is claimed. *Titanium Metals Corp. v. Banner*, 227 U.S.P.Q. 773 (Fed. Cir. 1985). For a prior art reference to anticipate under Section 102, every element of the claimed invention must be identically shown in a single reference. *In re Bond*, 15 U.S.P.Q.2d 1566 (Fed. Cir. 1990). Moreover, the prior art reference also must show the identical invention “in as complete detail as contained in the ... claim” to support a *prima facie* case of anticipation. *Richardson v. Suzuki Motor Co.*, 9 U.S.P.Q.2d 1913, 1920 (Fed. Cir. 1989) (emphasis added). Accordingly, Applicants need only point to a single element not found in the cited reference to demonstrate that the cited reference fails to anticipate the claimed subject matter.

Examples of Claim Features missing from the Foo et al. Reference

Applicants respectfully submit that the Foo et al. reference fails to disclose each element of independent claims 1, 22, 31, 40, 44, and 58. For instance, independent claim 1 recites a dynamic configuration system that includes “a configuration data distributor of *multi-component* configuration data to the plurality of medical diagnostic components, wherein the multi-component configuration data includes a file *having application-specific information for at least two medical diagnostic components* of the plurality of medical diagnostic components” (emphasis added). The configuration system of claim 1 further includes: (1) a plurality of multi-component configuration data receivers allowing each receiver to receive the multi-component configuration data (and not just data specific to a particular component), (2) a plurality of component-specific data extractors to enable a portion of the multi-component configuration data specific to a particular medical diagnostic component to be extracted from the remainder of the multi-component configuration data, and (3) a plurality of configuration data processors that facilitate configuration of medical diagnostic components based on the respective portion of the multi-component configuration data specific to those medical diagnostic components.

Independent claim 22 recites “a configuration data provider of multi-component configuration data *having extractable component-specific configuration data* for a plurality of communicatively coupled medical diagnostic components” (emphasis added). Conversely, independent claim 31 recites “a configuration data receiver for a distributable multi-component configuration file *comprising extractable component-specific application data* for a plurality of medical diagnostic components; a *configuration data extractor* of the extractable component-specific application data; and a configuration data processor of the extractable component-specific application data” (emphasis added). Independent claim 40 recites “distribution means for distributing *multi-component behavioral data* to a plurality of medical diagnostic components; and processing means for processing *component-specific portions of the multi-component behavioral data* at each of

the plurality of medical diagnostic components” (emphasis added). Further, independent claim 44 recites “distributing multi-component configuration data *comprising extractable component-specific configuration data* for a plurality of medical diagnostic components; *extracting the extractable component-specific configuration data* from the distributed multi-component configuration data at each component of the plurality of medical diagnostic components; and *processing the extractable component-specific configuration data* extracted at each component” (emphasis added). Finally, independent claim 58 recites “machine-readable code supported on the medium and comprising a broadcasting multi-component configuration system adapted to *provide a multi-component configuration file having extractable component-specific configuration data* for a plurality of medical diagnostic components to the plurality of medical diagnostic components” (emphasis added). Because the Foo et al. reference is not believed to disclose such elements, Applicants respectfully submit that the cited reference fails to anticipate the present claims.

The Foo et al. reference discloses “a series of medical diagnostic systems coupled to a service facility via a network connection for providing remote services and data interchange between the diagnostic systems and the service facility.” Foo et al. reference, col. 3, line 66 – col. 4, line 3; *see id.*, FIG. 7. The cited reference further teaches interactive remote servicing of one or more diagnostic systems 1012 at a medical facility 1020 by way of a service facility 1022. *See, e.g., id.* at col. 8, lines 18-30; col. 12, line 31 – col. 13, line 21; col. 13, lines 42-65; FIGS. 7, 9, and 10. Such interactive remote servicing may include remote monitoring, remote system control, file access from remote locations, remote file storage, remote resource pooling, remote recording, and remote high speed computations. *See, e.g., id.* at col. 13, lines 49-53. The system may further enable service requests, messages, reports, software, data, and the like to be communicated between a service facility and serviced diagnostic systems. *See, e.g., id.* at col. 13, lines 6-21.

In the Office Action, the Examiner made various observations with respect to the Foo et al. reference. Applicants note that none of the claims of the present application were addressed by number, and it is generally unclear how the Examiner believes that her observations are relevant to the instant claims. For example, the Examiner suggested that data may be distributed to the medical facility 1020 from the service facility 1022, and that the service facility 1022 may “extract” data from components of diagnostic systems 1012 at the medical facility 1020. *See* Office Action, pp. 2-3. Applicants respectfully note, however, that the claims are not directed to extracting data from components of diagnostic systems. While several claims recite a “component-specific data extractor,” a “configuration data extractor,” or “extracting the extractable component-specific configuration data from the distributed multi-component configuration data” (e.g., claims 1, 31, and 44), these claims also generally recite that such extractors are located at, and extraction is formed by, a medical diagnostic component.

While the Foo et al. reference generally teaches data transmission in a medical facility context, Applicants believe that nothing in the Foo et al. reference discloses distributing configuration data for multiple components to a particular component, that particular component extracting one or more portions of the multi-component configuration data pertinent to the particular component, and processing the extracted portion of the multi-component configuration data—features variously recited by the instant claims. Further, the Office Action does not appear to assert that the Foo et al. reference discloses such features. Consequently, Applicants respectfully request reconsideration of the instant claims and the Foo et al. reference, and that the Examiner either withdraw the instant rejection or clearly articulate the basis for the rejection (including how the Examiner is interpreting the claims, and how the Foo et al. reference discloses the claim elements).

For at least these reasons, Applicants respectfully request withdrawal of the rejections under 35 U.S.C. § 102 and allowance of claims 1-9, 11-22, 24-63, and 65.

Conclusion

In view of the remarks and amendments set forth above, Applicants respectfully request allowance of the pending claims. If the Examiner believes that a telephonic interview will help speed this application toward issuance, the Examiner is invited to contact the undersigned at the telephone number listed below.

Respectfully submitted,

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